

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants-Allegation of corruption against Sri S. Venkata Rao, Senior Assistant O/o the District Medical & Health Officer, Vizianagaram –Trapped by Anti Corruption Bureau officials on 22-7-1992 – placed under suspension – Acquitted – Orders treating the suspension period as Not on duty – set aside by the Andhra Pradesh Administrative Tribunal -Treating the period of suspension as on duty – Orders – issued.

HEALTH MEDICAL & FAMILY WELFARE (VC.1) DEPARTMENT

G.O.RT.No. 845

Dated: 25 -10-2014
Read the following:

- 1) G.O.Rt.No.442, HM&FW (VC1) Dept, Dt.24-4-2006
- 2) G.O.Rt.No.1502, HM & FW (VC.I) Dept Dt.2-12-2006
- 3) Govt.Memo.No.11319/VC1(1)/2007, Dt.25-1-2008
- 4) Hon'ble APAT orders dt. 9-4-2013 in OA No.6162 of 2010 filed by Sri S.Venkata Rao, Retd Superintendent O/o, District Malaria Officer, Parvathipuram

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ORDER:

Sri S. Venkata Rao, was trapped on 22-7-1992, when was demanded and accepted a bribe of Rs.200/- from the complainant for doing official favour in settlement of arrears of pay. He was placed under suspension on 01-09-1992. He was prosecuted before the Court of Special Judge for Anti Corruption Bureau Cases, Visakhapatnam. He was acquitted on 30-09-1996.

2. Subsequently orders were issued in G.O.Rt.No.174, H.M. & FW (VC1) Dept, Dt.11-12-1997 reinstating the individual into the service. An appeal was also filed in the High Court against the acquittal Judgment of Lower Court vide Criminal Appeal No.203/2000. The High Court has dismissed the said appeal by confirming the judgment dt. 30-09-1996 of learned Special Judge for Anti Corruption Bureau Cases, Visakhapatnam in CC No.9/93. The suspension period of the individual was treated as Not on duty under F.R. 54 B(7) vide G.O.2nd read above.

3. Subsequently, the individual has filed an appeal petition before the Government requesting to treat the suspension period as duty and the same was rejected vide Government Memo 3rd read above.

4. Aggrieved by the rejected orders, the individual has filed an OA No 6162 of 2010 before the Andhra Pradesh Administrative Tribunal and the Hon'ble Tribunal in its orders dt.9-4-2013 was allowed the OA with a direction to treat the suspension period as duty and setting aside the orders issued vide 2nd and Memo 3rd read above.

5. Government after re-examination of the matter in the light of the orders dt. 9-4-2013 of the Hon'ble Tribunal in OA No. 6162 of 2010 have decided to treat the suspension period from 01-09-1992 to 30-09-1998 of Sri S. Venkata Rao as on duty, duly cancelling the order issued in ref 2nd and 3rd read above..

6. Accordingly, Government hereby order that the period of suspension of Sri S. Venkata Rao, formerly Senior Assistant O/o the District Medical & Health Officer, Vizianagaram and Superintendent (Retd) O/o the District Malaria Officer, Vizianagaram Dist from 1-9-1992 to 30-09-1998 be treated as "On duty" duly cancelling the orders issued in the ref 2nd and 3rd read above.

p.t.o.,

7. The Director of Public Health & Family Welfare, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

To

The individual through Director of Public Health & Family Welfare, A.P., Hyderabad.
The Director of Public Health & Family Welfare, A.P., Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, A.P. Hyderabad.

The Secretary to Andhra Pradesh Vigilance Commission.

The Accountant General, A.P., Hyderabad.

SF/sc

// FORWARDED :: BY ORDER//

SECTION OFFICER